

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

OCT 08 2010

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

CALVIN PERRY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

Civil Action No. 7:10-cv-00447

ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that petitioner's motion for leave to proceed in forma pauperis is **GRANTED**; petitioner's petition for a writ of mandamus, pursuant to 28 U.S.C. § 1361, is **DISMISSED as frivolous**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner.

ENTER: This 8th day of October, 2010.

[Signature]
Senior United States District Judge